

DECLARATION AND POWER OF ATTORNEY

DECLARATION:

As a below named inventor, I declare:

that my residence, citizenship and post office address are as stated below next to my name;

that I believe I am an original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention or design entitled *Vertebral Stabilization Assembly and Method*, the specification and claims of which is attached hereto;

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

that I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56; and

I hereby claim the benefit under 35 U.S.C. § 119 or § 120 of any provisional, national, continuation, continuation-in-part, divisional, foreign, or any other patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

U.S. Patent Application Serial No. 10/109,172, filed March 28, 2002,
U.S. Provisional Application No. 60/327,118 filed on October 3, 2001;
U.S. Provisional Application No. 60/350,259 filed on November 2, 2001;
U.S. Provisional Application No. 60/331,857 filed on November 20, 2001; and
U.S. Provisional Application No. 60/353,691 filed on January 31, 2002.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

POWER OF ATTORNEY:

I hereby appoint practitioners at **Customer Number 24347**, all of the firm of Hunton & Williams LLP, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international or foreign patent applications filed thereon before any international or foreign authorities.

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Apr 12 / 04

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